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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/607,879	06/30/2000	Michael A. Puscar	00-40174-US	9994

7590

06/10/2003

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EXAMINER

NGUYEN, CINDY

ART UNIT

PAPER NUMBER

2171

DATE MAILED: 06/10/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/607,879

Applicant(s)

PUSCAR ET AL.

Examiner

Cindy Nguyen

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

This is in response to amendment filed on 5/12/03.

1. Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/12/03 has been entered.

2. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17, and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buck et al (U.S 6078866) (Buck) in view of Horovitz et al. (U.S 6553367) (Horovitz).

In consideration of claims 1, 21, 22-25, Buck et al. disclose: A method and system of providing news relating to a specified subject to a subscriber (see col. 3, lines 66 to col. 4, lines 12, Buck et al.), comprising the steps of:

(a) selecting a plurality of Web sites (as selected categories) operated by content providers (as content sites) and relating to a category to which the specified subject relates (see col. 5, lines 43-61, Buck);

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b) automatically determining the relevancy of at least one Web page in each selected Web site by scanning for words relating to the specified subject (see col. 6, lines 33-41, Buck);

(c) automatically determining the content type of at least one Web page in each selected Web site by scanning at least one Web page for words indicating content type (see col. 6, lines 2-11, Buck);

(e) providing the compiled list to the subscriber, wherein the subscriber is a party other than one of said content providers (see col. 6, lines 12-23, Buck).

However, Buck didn't disclose: (d) compiling a list of relevant Web pages based on the results of steps (b) and (c). On the other hand, Horovitz disclose: (d) compiling a list of relevant Web pages based on the results of steps (b) and (c) (see col. 7, lines 37-49, Horovitz). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step of compiling a list of relevant Web pages based on the results of steps (b) and (c) in the system of Buck as taught by Horovitz. The motivation being to enable the user to receiving the list of relevant documents with the same field and subjects base on the input keywords searching in the system and user can access the relevant on-line catalogs to obtains the relevant product information.

In addition, Buck/Horovitz disclose: wherein the list of relevant web pages includes only those web pages that are determined both to be relevant in step (b) and to be of a news content type in step (c) (col. 5, lines 43-61, Buck);

wherein the list of relevant web pages includes only those web pages that are determined both to be relevant in step (b) and not to be advertisements in step (c) (col. 6, lines 12-32, Buck);

a processor (122, fig. 1 and corresponding text, Horovitz);

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a memory connected to said processor (124, fig. 1 and corresponding text, Horovitz);

a display in communication with said processor (123, fig. 1 and corresponding text,
Horovitz);

in put device in communication with said processor (121, fig. 1 and corresponding text,
Horovitz);

As per claim 2, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: further comprising the step of:(f) prompting the subscriber to specify a subject (see col. 7, lines 18-28, Buck).

Regarding claim 3, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the plurality of Web sites is selected by, manually categorizing Web sites into categories (see col. 7, lines 58-65, Buck).

Regarding claim 4, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the plurality of Web sites is selected by automatically scanning Web sites for words indicating the category to which each Web site relates (see col. 5, lines 46-61, Buck).

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Regarding claim 5, the limitations of this claim have been noted in the rejection of claim 4. Applicant's attention is directed to the rejection of claim 4 above. In addition, Buck/Horovitz disclose: wherein each scanned Web site is assigned to at most one category (see col. 6, lines 32-34).

Regarding claim 6, the limitations of this claim have been noted in the rejection of claim 4. Applicant's attention is directed to the rejection of claim 4 above. In addition, Buck/Horovitz disclose: wherein each scanned Web site may be assigned to one or more one categories (see col. 6, lines 32-48, Buck).

Regarding claim 7, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the plurality of Web sites is selected based on the frequency with which relevant links have been located in prior iterations of the method with respect to the specified subject (col. 5, lines 31-49, Horovitz).

Regarding claim 8, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the plurality of Web sites is selected based on the frequency with which relevant links have been located in prior iterations of the method with respect to the same category (col. 7, lines 24-49, Horovitz).

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Regarding claim 9, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the words relating to the specified subject comprise at least one word contained in the specified subject (see col. 7, lines 29-35, Buck).

Regarding claim 10, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the words relating to the specified subject comprise words provided by the subscriber (see col. 7, lines 16-22, Buck).

Regarding claim 11, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: further comprising the steps of: (f) compiling a list of words based on the frequency with which such words have appeared in relevant links located in prior iterations of the method with respect to the same category (see col. 7, lines 50 to col. 8, lines 43, Horovitz); and

(g) prompting the subscriber to select one or more words from the compiled list (see col. 8, lines 23-26, Buck), wherein the words relating to the specified subject comprise words selected by the subscriber in step (f) (see col. 7, lines 16-22, Buck).

Regarding claim 12, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the list of relevant Web pages is compiled in step (d) by including only those

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Web pages that are determined both to be relevant in step (b) and to be of a news content type in step (c) (col. 5, lines 43-61, Buck).

Regarding claim 13, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the list of relevant Web pages is compiled in step (d) by including only those Web pages that are determined both to be relevant in step (b) and not to be advertisements in step (c) (see col. 6, lines 12-32, Buck).

Regarding claim 14, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the list of web pages provided to the subscriber in step (e) comprises a hyperlink to each Web page in the list (see col. 6, lines 23-32, Buck).

Regarding claim 15, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the list of Web pages is provided to the subscriber in step (e) by electronic mail ("email")(see col. 6, lines 51-55, Buck).

Regarding claim 16, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz

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disclose: wherein the list of Web pages is provided to the subscriber in step (e) over the Web (see 41, Fig 2B, Buck).

Regarding claim 17, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the list of Web pages is provided to the subscriber in step (e) over the Internet (see col. 7, lines 16-18, Buck).

Regarding claim 20, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Buck/Horovitz disclose: wherein the at least one Web page scanned in each site comprises the index page of the Web site (see col. 3, lines 54-59, Buck).

4. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buck et al (U.S 6078866) in view of Horovitz et al. (U.S 6553367) (Horovitz) and further in view of O'Neil et al. (U.S. 6339644) (O'Neil).

Regarding claims 18 and 19, the limitations of these claims have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. However, the combination of Buck/Horovitz doesn't disclose the specific details of claims 18 and 19. On the other hand, O'Neil disclose: " wherein the list of Web pages is provided to the subscriber in step (e) over an intranet, by wireless communication" (see col. 15, lines 20-24, O'Neil.) Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to combine LAN, WAN, intranet, Internet, telecommunication or specialty network in the

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combination system of Buck/Horovitz as taught by O'Neil. The motivation being to enable the users also receive information updates through intranet or by wireless communication.

5. *Response to Arguments*

Applicant's arguments have been considered, but are moot in view of the new ground(s) of rejection.

6. *Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen
June 4, 2003


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